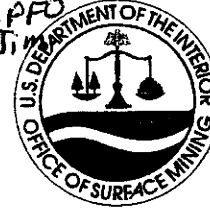




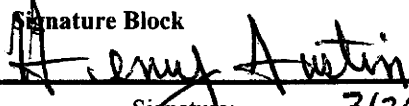

0005 U. S. DEPT. OF THE INTERIOR
OFFICE OF SURFACE MINING
Mine Site Evaluation
State Program



OK C/O15/C17 Incoming
CL: PFO
Jm

APR 10/7 2008

DEACON, CARSON MINING

1. Permittee/Person PACIFICORP		9. Permit Number UT-015-017	10. Permit Type PP
2. Address P.O. BOX 310		11. Field Visit Date 03/18/2008 mm - dd - yyyy	12. Purpose O
3. City Huntington	4. State UT	14. Permit Status BR	15. Site Status MC
5. Zip Code 84528	6. Phone Number (435) 687-4712	17. OSM Office # 140	18. CCID #
7. Operator Name, if Different than Permittee ENERGY WEST MINING CO.		20. M.S.H.A ID # 42-00988	21. State Abrev. UT
8. Mine Name DES BEE DOVE		23. AVS Permittee Entity ID Number 	24. State Office
25. Hours 3.0 a. Permit Review 3.0 b. Site Visit Time 7.0 c. Travel Time 1.5 d. Report Writing		26. Signature Block  Signature: 3/25/08 HENRY AUSTIN ID # 116 Printed Name: Date: 03/25/2008	
		27. Reviewing Official:  Signature: Review Date: 3/26/08 mm - dd - yyyy Is Supplemental MSE Page Used Y/N Y	

Permit Type — Item 10 IP = Interim Program, PP = Permanent Program, NP = No Permit

Purpose Type Codes Item 12

Oxx... Oversight
Axx... Assistance

Rfx... Reclamation Fees
Fxx... Federal Actions

CCR... Citizen Complaint Referral (non site visit)
CC... Citizen Complaint (initial site visit)
CCF... Citizen Complaint Follow-up

Joint Inspection — Item 13 A joint inspection is when a state inspector accompanies an OSM inspector any time during the review of the mine site.

Permit Status — Item 14

A... Active: Coal mining and reclamation activities occurring or permitted but not yet disturbed.
IN... Inactive (Permanent Program Permit): Phase II completed or Temporary Cessation of Operations. (Interim Program Permit) Coal mining completed and reclamation activities initiated.
BR... Bond Release: Reclamation completed and State Regulatory Authority (RA) has released all of the bond (Phase III Release.)

AB... Abandoned: All surface and underground coal mining activities have ceased and operator has left the site without completing reclamation as defined in 30 CFR 840.11(g)
AB1... Bond Forfeiture: Bond forfeiture officially in process or completed, and reclamation in progress or not yet commenced.
AB2... Partially Reclaimed Forfeiture: Forfeited site where all bonds have been used to reclaim site, but site not reclaimed to Program standards.
AB3... Reclaimed Forfeiture: Forfeited site that has been reclaimed to Program standards.
NA... Not Applicable: When site is unpermitted.

Site Status Codes — Item 15

ND... No Disturbance: No coal mining and reclamation operations have been started.
EX... Coal Exploration: Coal exploration operations have started and where coal mining operations have not begun.
AP... Active Coal Producing: Coal surface mining activities are occurring.
AN... Active Non-Producing: Active non-producing facility such as tipple or preparation plant.
NM... No Mining: The Permit Status is active, site is not in Temporary Cessation, no surface coal mining activity, and site not regraded.

MC... Mining Complete: No mining activity on site, site regraded and awaiting phase bond release.
TC... Temporary Cessation: The RA has granted cessation of mining pursuant to 30 CFR 816/817.131(b).
P1... Phase I Release: At least Phase I bond release granted for entire permitted area. For interim permits, partial bond release.
P2... Phase II Release: At least Phase II bond release for the entire permitted area.
P3... Phase III Release: Reclamation completed and the RA has released all bond.

NS... Non-Site Visit: Status of site not determined.
FP... Forfeiture Pending: The RA is pursuing actions to revoke the permit, collect the performance bond(s), and/or reclamation of forfeited site is in progress.
FR... Forfeited and Reclaimed: Forfeiture reclamation completed.
FO... Abandoned Site: Abandoned site that is permitted but there is no bond.
WC... Wildcat: Coal mining and reclamation operations have or are taking place and the activity is not covered by the required permits from the RA.

Facility Type Codes — Item 16

A... Surface
B... Underground
C... Preparation Plant

D... Ancillary (Haulroad, Conveyor, and/or Rails)
E... Refuse and/or Impoundment
F... Loading Facility and/or Tipple
G... Stockpiles

H... Exploration Permits
I... Notice of Intent to Explore
J... Exempt 16 and 2/3
K... Government Financed Construction Exemption

L... Remaining site permitted under 30 CFR 785.25

Small Business Regulatory Enforcement Fairness Act (SBREFA)
Your Comments Are Important

The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about Federal agency enforcement actions. The Ombudsman will annually evaluate the enforcement activities and rate each agency's responsiveness to small business. If you are a small business (a business with 500 or fewer employees including those of affiliates) and wish to comment on the enforcement or compliance activities of OSM, call 1-888-REG-FAIR (1-888-734-3247).

U. S. DEPT. OF THE INTERIOR OFFICE OF SURFACE MINING

Mine Site Evaluation

 Permittee/ Person **PACIFICORP**

 Permit Number **UT-015-017**

 Field Visit Date **03/18/2008**

 State Program **Continuation Page**

28. Performance Standard Categories

Codes: 1=Compliance, 2=Noncompliance, 3=Not Planned, 4=Not Started, 5=Noncompliance Identified Elsewhere, 6=Previously Cited

A. Administrative 1. <u>1</u> Mining within Valid Permit 2. <u>1</u> Mining within Bonded Area 3. <u>1</u> Terms & Conditions of Permit 4. <u>1</u> Liability Insurance 5. <u>1</u> Ownership and Control 6. <u>1</u> Temporary Cessation 7. <u>1</u> AML Rec. Fees -- Non-Respondent 8. <u>1</u> AML Rec. Fees -- Failure to Pay	D. Backfilling & Grading 1. <u>1</u> Exposed Openings 2. <u>1</u> Contemporaneous Reclamation 3. <u>1</u> Approximate Original Contour 4. <u>1</u> Highwall Elimination 5. <u>1</u> Steep Slopes (includes downslope) 6. <u>3</u> Handling of Acid & Toxic Materials 7. <u>1</u> Stabilization (rills and gullies)	H. <u>3</u> Subsidence Control Plan I. Roads 1. <u>3</u> Road Construction 2. <u>3</u> Certification 3. <u>3</u> Drainage 4. <u>3</u> Surfacing and Maintenance 5. <u>1</u> Reclamation J. Signs & Markers 1. <u>3</u> Signs 2. <u>3</u> Markers K. <u>3</u> Distance Prohibitions L. Revegetation 1. <u>3</u> Vegetative Cover 2. <u>3</u> Timing M. <u>3</u> Postmining Land Use N. Other
B. Hydrologic Balance 1. <u>1</u> Drainage Control 2. <u>1</u> Inspections & Certifications 3. <u>1</u> Siltation Structures 4. <u>3</u> Discharge Structures 5. <u>3</u> Diversions 6. <u>1</u> Effluent Limits 7. <u>1</u> Ground Water Monitoring 8. <u>1</u> Surface Water Monitoring 9. <u>3</u> Drainage -- Acid-Toxic Materials 10. <u>3</u> Impoundments 11. <u>3</u> Stream Buffer Zones	E. Excess Spoil Disposal 1. <u>3</u> Placement 2. <u>3</u> Drainage Control 3. <u>3</u> Surface Stabilization 4. <u>3</u> Inspections & Certifications F. Coal Mine Waste (Refuse Piles/Impoundments) 1. <u>3</u> Drainage Control 2. <u>3</u> Surface Stabilization 3. <u>1</u> Placement 4. <u>3</u> Inspections and Certifications 5. <u>3</u> Impounding Structures	General Performance Category
C. Topsoil & Subsoil 1. <u>1</u> Removal 2. <u>1</u> Substitute Materials 3. <u>1</u> Storage and Protection 4. <u>1</u> Redistribution	G. Use Of Explosives 1. <u>3</u> Blaster Certification 2. <u>3</u> Distance Prohibitions 3. <u>3</u> Blast Survey/Schedule 4. <u>3</u> Warnings & Records 5. <u>3</u> Control of Adverse Effects	_____ 1) _____ _____ 2) _____ _____ 3) _____

Performance Standard Categories 30 CFR Counterpart

A. Administrative.....(816/817.71-74) 1. Valid Permit.....773.11 2. Mining within Bonded Area.....773.11 3. Terms & Conditions of Permit.....773.17 4. Liability Insurance.....800.60 5. Ownership and Control.....778.13 6. Temporary Cessation.....842.11(e) & 816/817.131 7. AML Rec. Fees -- Non-Respondant.....870.15(b) 8. AML Rec. Fees -- Failure to Pay.....870.15(a) B. Hydrologic Balance.....(816/817.41-57) 1. Drainage Control.....45 2. Inspections & Certifications.....49(a)(10) 3. Siltation Structures.....46 4. Discharge Structures.....47 5. Diversions.....43 6. Effluent Limits.....42 7. Ground Water Monitoring.....41(c) 8. Surface Water Monitoring.....41(e) 9. Drainage-- Acid - Toxic Materials.....41(f) 10. Impoundments.....49 11. Stream Buffer Zones.....57 C. Topsoil & Subsoil.....(816/817.22) 1. Removal.....22(a) 2. Substitute Materials.....22(c) 3. Storage and Protection.....22(c) 4. Redistribution.....22(d) D. Backfilling & Grading.....(816/817.95-107) 1. Exposed Openings.....816/817.13, 14, 15, & 823.11 & 21 2. Contemporaneous Reclamation.....100 3. Approximate Original Contour.....102(a)(1) 4. Highwall Elimination.....102(a)(2) 5. Steep Slopes (includes downslope).....107 6. Handling of Acid & Toxic Materials.....102(c) 7. Stabilization (rills and gullies).....95(b)	E. Excess Spoil Disposal.....(816/817.71-74) 1. Placement.....71(e) 2. Drainage Control.....71(f) 3. Surface Stabilization.....71(g) 4. Inspections & Certifications.....71(h) F. Coal Mine Waste (Refuse Piles/Impoundments)(816/817.81-84) 1. Drainage Control83(a) 2. Surface Stabilization.....83(b) 3. Placement.....83(c) 4. Inspections and Certifications.....83(d) 5. Impounding Structures.....84 G. Use of Explosives.....(816/817.61-68) 1. Blaster Certification.....61(c) 2. Distance Prohibitions.....61(d) 3. Blast Survey/Schedule.....62-64 4. Warnings & Records.....66 & 68 5. Control of Adverse Effects.....67 H. Subsidence Control Plan.....(817.121-122) I. Roads.....(816/817.150-151) 1. Road Construction.....150(c) 2. Certification.....151(a) 3. Drainage.....150(b)-151(d) 4. Surfacing and Maintenance.....150(e)-151(d) 5. Reclamation.....150(f) J. Signs & Markers(816/817.11) 1. Signs.....11(a),(b),&(c) 2. Markers.....11(a),(b),(d),(e),&(f) K. Distance Prohibitions.....(761.11) L. Revegetation.....(816/817.111-116) 1. Vegetative Cover.....111 & 116 2. Timing.....113 M. Postmining Land Use.....(816/817.133)
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

March 20, 2008

Energy West Mining Company (EWM)
PO Box 310
15 No. Main Street
Huntington, UT 84528

Des Bee Dove Mine, OGM Permit C/015/017
Complete, oversight inspection
March 18, 2008

Participants:

Dennis Oakley, EWM
Steve Demczak, Utah Division of Oil, Gas and Mining (OGM)
Henry Austin, Office of Surface Mining (OSM)

We participated in a complete inspection of the Des Bee Dove Mine as indicated above. This mine was selected by OSM for oversight during evaluation year 2008. Weather conditions were fair and ground conditions were partially snow covered and muddy. There was no surface water runoff noted on the reclaimed area. The primary purpose of this inspection was to evaluate offsite impacts. No offsite impacts were documented during the field inspection or review of environmental monitoring records.

The reclaimed surface disturbance at this site is approximately 36 acres (total permit area is approx. 134 acres), and is well documented in the Des Bee Dove Mine Permit Boundary Description contained in a stand alone binder of the approved OGM permit document that includes all the EWM complex operations. All disturbed areas have been reclaimed.

~~Demczak~~
Mr. ~~Housekeeper~~ began the inspection with a thorough review of the approved OGM mining permit and the required environmental monitoring records. Our review included the following: OGM permit term is 09/04/2007 through 08/30/2010. Two permit conditions require electronic submittal of water monitoring data; and no disposal of asphalt on Federal Lands.

Total bond amount held is \$1,169,718.00. OGM Phase I and Phase III bond releases were approved during 2007 under separate actions. A post mining land use change to industrial-commercial was approved by OGM for development of a gas well within the disturbed area (All the pumphouse area and roadway was released in a Phase III action. This parcel is USFS surface).

Subsidence measurement and monitoring for the EWM complex is reported in the annual report. Subsidence monitoring is no longer required for the Des Bee Dove Mine. All Federal coal leases (BLM actions) have been relinquished here. Subsidence is substantially complete (More than 3 years have passed since the last coal removal).

Des Bee Dove Mine; pg. 2

The Des Bee Dove Mine annual reports to OGM are current (2006). Surface and groundwater monitoring reports were not reviewed. This concluded our records review.

Surface water runoff control for the reclaimed area is the approved land imprinting, and surface roughening. Backfilling and grading to the approximate original contours throughout the area is well done, and closely resembles adjacent undisturbed slopes. The backfilling and final grading work is challenging in this steep slope (2:1 slopes) canyon environment. The reclaimed areas and permanent drainage channels established through the reclaimed slopes were stable and functional. No erosion was noted.

This site was extensively disturbed pre SMCRA and topsoil was not salvaged. The entire Des Bee Dove Mine reclamation area was disturbed pre SMCRA, including coal refuse fills, and EWM excavated, removed, and reclaimed all the pre law disturbances in the reclamation plan to achieve a natural approximate original contour. The primary drainway was reestablished in its original channel location and elevation. The primary drainway is stable given the surface water flows through the reclaimed area to date.

Innovative soil science practices were used here to identify and salvage suitable reclamation soils. (EWM excavated back hoe trenches before redisturbance and reclamation to sample, test, and identify suitable replacement soils. Soils were identified as suitable using OGM soil suitability guidelines, soil sampling, and soil testing criteria). Coal refuse fills were excavated and removed. Replaced soils were heavily imprinted (surface pocking and roughening) to provide erosion protection on these steep slopes. No erosion problems were noted during the inspection.

This reclamation effort exceeded regulatory requirements, and as noted above was very challenging at best in this steep slope canyon environment.

No offsite impacts were identified during the inspection. This concluded the inspection.

Please address any questions concerning this inspection report to Henry Austin, Senior Reclamation Specialist, at haustin@osmre.gov or to (303) 293-5019.